



Signed and Filed: January 9, 2015

A handwritten signature in black ink, appearing to read "Hannah L. Blumenstiel".

HANNAH L. BLUMENSTIEL
U.S. Bankruptcy Judge
UNITED STATES BANKRUPTCY COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:) Case No. 14-30381 HLB
)
WAUKEEN QUANDRICO MCCOY,) Chapter 11
)
Debtor.)
)

ORDER DENYING EX PARTE APPLICATION FOR AN ORDER RELEASING FUNDS

This case is before the Court on Debtor Waukeen Quandrico McCoy's Ex Parte Application for an Order Releasing Funds (the "Ex Parte Application"). Specifically, Mr. McCoy requests an order directing Chicago Title Company ("Chicago Title") to release to Mr. McCoy or his counsel (Ms. Sharon Ceasar) approximately \$310,000 in funds held by Chicago Title following the sale of real property once owned by Mr. McCoy. Mr. McCoy also demands an order requiring Chicago Title to pay \$2,100 in attorney fees. For the following reasons, the Ex Parte Application is denied. First and foremost, ex parte relief is not appropriate, as the exhibits to Ms. Ceasar's declaration in support of the Ex Parte Application establish the existence of a dispute with at least one interested party as to whether Mr. McCoy is entitled to the relief sought. Moreover, the Ex Parte Application is deficient in that it fails to include a

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APPLICATION FOR AN ORDER
RELEASING FUNDS

1 memorandum of points and authorities as required by B.L.R.
2 9013-1(b)(3). The Court reminds Ms. Ceasar that any such
3 memorandum must cite to and discuss relevant statutory or other
4 authority. Accordingly, the Ex Parte Application is denied
5 without prejudice to a motion supported by relevant authority
6 and served on all parties entitled to notice and an opportunity
7 to be heard including, but not limited to, Chicago Title.

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9 ****END OF ORDER****
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ORDER DENYING EX PARTE
APPLICATION FOR AN ORDER
RELEASING FUNDS

Court Service List

[None]